



AMERICAN SPICE TRADE ASSOCIATION, INC.

560 Sylvan Avenue • Post Office Box 1267
Englewood Cliffs • New Jersey 07632
Tel: 201-568-2163 • Fax: 201-568-7318

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May 14, 1999

Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Dear Sir/Madam:

These comments are on behalf of the American Spice Trade Association, Inc., the world's largest association representing interests of the spice and seasoning industries. They respond to Advance Notice of Proposed Rulemaking that appeared in the Federal Register February 17, 1999, 21 CFR Part 179 (Docket No. 98N-1038) "Irradiation in the Production, Processing, and Handling of Food.

The comments respond to the specific questions on page 7836 of the Federal Register:

1. Questions 1-4. Does the label convey meaningful information? How do consumers perceive the statement? What alternate wording can convey more meaningful information?

Answers: The current labeling is misleading and may result in confusion for consumers. The terms "irradiation" and "radiation" are perceived as a warning rather than a statement relating to the safety of the foods. We believe that these terms have a direct negative effect on public acceptance of irradiated foods. Additionally, since irradiation is regulated as an additive, some people believe that something has been added to the product.

If labeling is required, we believe that the 'Radura' symbol should be used along with the qualified terms 'irradiation pasteurization' or 'pasteurized by irradiation to control microorganisms, e.coli, etc'.

2. Question 6. Irradiated ingredients. Are consumers misled by the absence of a radiation disclosure statement? Would consumers be misled by the presence of such a statement?

Answers: The labeling of minor ingredients used in a manufactured food would serve no purpose and would mislead the consumer. The regulation is sufficient as it stands. To insist on labeling ingredients would also further limit the use of irradiation processing by the industrial manufacturer who is trying to provide a safe food supply for the public. The manufacturers believe that the terms 'radiation' and 'irradiation'

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cause confusion and distrust of the products and may lead consumers to reject some irradiated foods.

Using irradiated ingredients in manufactured foods assists food processors to ensure their final product is as safe and low in microbial contamination as possible. The irradiated ingredient contributes to the cleanliness of the finished food but cannot guarantee cleanliness to the same degree as if the finished food was irradiated. Therefore, there is potential for misleading the public with an irradiation label on a food that only contains an irradiated ingredient.

3. Question 7 & 9. What is consumer experience with labeled irradiated foods? What do consumers understand to be the effect of irradiation on foods?

Answers: Consumers have had very little experience with labeled irradiated foods and generally do not understand the process. Consumer studies have shown that when educated about the irradiation process, consumers become more accepting. If the government requires special labeling, then we believe it is the government's responsibility to educate the public as to why a label is required, what the label means, and that irradiated foods are safe.

4. Question 8. Does current labeling discourage the use of irradiation?

Answer: The label discourages food processors and manufacturers from using irradiation for their products. They feel the consumer perceives the label as a warning and leads to distrust of the irradiated foods.

5. Questions 10-11. Do consumers readily recognize the Radura logo? Do the consumers understand the logo to mean that a food has been irradiated?

Answers: Consumers have had little experience with the Radura label and most do not recognize it. Therefore, they have no perception of the meaning of the symbol. There needs to be consumer education about the process and labels. Incentive labeling can be used to aid in consumer education.


6. Questions 13-15. Should label requirements expire at a specific date?

Answer: If labeling continues to be required, it should have a phase – out date that is tied to the education process. Once education is deemed to be complete and consumers are aware of the process, labeling should be phased out. We suggest that because of international trade considerations, the Radura symbol be retained but that the other labeling requirements be omitted after a two year period. Thereafter, labeling will be voluntary.

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In conclusion, we believe that the perception and fears of the public could lead to the loss of an important tool in the fight for food safety. If labeling is required on irradiated products, it must be so worded to alleviate not increase public fears. We would be pleased to discuss these comments with the appropriate officials of the Food and Drug Administration.

Sincerely,

A handwritten signature in cursive script, reading "Elizabeth Erman".

Elizabeth Erman
Executive Director



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